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**From:** McKenna, Elizabeth [Mckenna.Elizabeth@epa.gov]  
**Sent:** 12/2/2019 7:44:02 PM  
**To:** Cerise, Kathy [Cerise.Kathryn@epa.gov]  
**CC:** Maley, Timothy [maley.timothy@epa.gov]; Bottcher, Helen [Bottcher.Helen@epa.gov]  
**Subject:** RE: Stibnite Gold Project, Idaho  
**Attachments:** 2019-11-27 Chris Hladick, EPA - Nez Perce Tribe Comments Draft Stibnite AOC and SOW - Midas.pdf

Here are the Nez Perce's comments on the SOW.

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Elizabeth McKenna | Assistant Regional Counsel  
US Environmental Protection Agency, Region 10  
1200 Sixth Avenue | Suite 155, M/S 11-C07  
Seattle, WA 98101  
(206) 553-0016



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**From:** Cerise, Kathy <Cerise.Kathryn@epa.gov>  
**Sent:** Monday, December 02, 2019 11:01 AM  
**To:** McKenna, Elizabeth <Mckenna.Elizabeth@epa.gov>  
**Cc:** Maley, Timothy <maley.timothy@epa.gov>  
**Subject:** RE: Stibnite Gold Project, Idaho

Bradley tailings is the significant source. Bradley dump is upstream of proposed activity but unlikely to be a "significant source" In stream work is also beneficial as documents in the EE/CA

Kathryn Cerise  
Region 10 Remedial Project Manager  
1200 6<sup>th</sup> Ave,  
Seattle, WA 98101  
Mail Code: 12 D12 1  
Phone: 206-553-2589

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**From:** Jill Grant <jgrant@jillgrantlaw.com>  
**Sent:** Monday, December 02, 2019 10:57 AM  
**To:** McKenna, Elizabeth <Mckenna.Elizabeth@epa.gov>; Fremerman, Gary - OGC, Washington, DC <gary.fremerman@usda.gov>; Lisa.O'Hara@deq.idaho.gov  
**Cc:** Cerise, Kathy <Cerise.Kathryn@epa.gov>; Bottcher, Helen <Bottcher.Helen@epa.gov>; kwright@sbtribes.com  
**Subject:** Stibnite Gold Project, Idaho

Thanks very much, Elizabeth. I'll try to get to this as soon as I can, and will discuss it with Kelly Wright at SBT.

Jill

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**From:** McKenna, Elizabeth [mailto:Mckenna.Elizabeth@epa.gov]  
**Sent:** Monday, December 2, 2019 1:22 PM  
**To:** Jill Grant <jgrant@jillgrantlaw.com>; Fremerman, Gary - OGC, Washington, DC <gary.fremerman@usda.gov>; Lisa.O'Hara@deq.idaho.gov

**Cc:** Cerise, Kathy <[Cerise.Kathryn@epa.gov](mailto:Cerise.Kathryn@epa.gov)>; Bottcher, Helen <[Bottcher.Helen@epa.gov](mailto:Bottcher.Helen@epa.gov)>

**Subject:** RE: [Caution: Suspicious Attachment]FW: Stibnite Gold Project, Idaho

I spoke to Brad about having Midas commit to early actions in the agreement. He said that Midas is willing to commit to perform some early actions in this AOC. Brad also said that Midas would not agree to enter into an agreement for open-ended early actions, and that Midas would not sign a blank check. Brad would like to set up technical meetings right away to come to some agreement on what work could be included in the AOC. He said that Midas would be willing to do the projects they already proposed early on in the process (attached). The two projects proposed by Midas were previously rejected by the agencies. I think we need to ask for work that would address the most critical ongoing releases. That is difficult because I assume the most problematic area is the Bradley Dump and, if the mine permit is issued, that area will be mined. It is also difficult because we do not know what we would have them do right now, and figuring that out will take time. In the attached letter we mentioned a few places where we thought useful work could be done. I think we need to have our technical teams meet before we agree to meet with Midas.

I will be forwarding you the Nez Perce Tribe's comments in the SOW in separate email. I have not yet had a chance to review them.

Elizabeth

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**From:** Jill Grant <[jgrant@jillgrantlaw.com](mailto:jgrant@jillgrantlaw.com)>

**Sent:** Monday, December 02, 2019 8:24 AM

**To:** Fremerman, Gary - OGC, Washington, DC <[gary.fremerman@usda.gov](mailto:gary.fremerman@usda.gov)>; McKenna, Elizabeth <[McKenna.Elizabeth@epa.gov](mailto:McKenna.Elizabeth@epa.gov)>; Lisa.O'Hara@deq.idaho.gov

**Subject:** RE: [Caution: Suspicious Attachment]FW: Stibnite Gold Project, Idaho

In my mind right away, but I think Elizabeth may have begun to raise it with Brad Marten – Elizabeth, maybe you can fill us in.

Jill

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**From:** Fremerman, Gary - OGC, Washington, DC [<mailto:gary.fremerman@usda.gov>]

**Sent:** Wednesday, November 27, 2019 1:31 PM

**To:** McKenna, Elizabeth <[McKenna.Elizabeth@epa.gov](mailto:McKenna.Elizabeth@epa.gov)>; Lisa.O'Hara@deq.idaho.gov; Jill Grant

<jgrant@jillgrantlaw.com>

**Subject:** RE: [Caution: Suspicious Attachment]FW: Stibnite Gold Project, Idaho

When and how do you think the subject of early or interim action to address the current ongoing contaminant releases should be raised with Midas Gold?

Gary M. Fremerman  
Senior Counsel  
Natural Resources and Environment Division  
Office of the General Counsel  
U.S. Department of Agriculture  
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Ex. 6 Personal Privacy (PP)

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**From:** McKenna, Elizabeth <[Mckenna.Elizabeth@epa.gov](mailto:Mckenna.Elizabeth@epa.gov)>

**Sent:** Wednesday, November 27, 2019 12:48 PM

**To:** Lisa.O'Hara@deq.idaho.gov; Jill Grant <[jgrant@jillgrantlaw.com](mailto:jgrant@jillgrantlaw.com)>; Fremerman, Gary - OGC, Washington, DC <[gary.fremerman@usda.gov](mailto:gary.fremerman@usda.gov)>

**Subject:** [Caution: Suspicious Attachment]FW: Stibnite Gold Project, Idaho

And the letters keep coming....

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**From:** Fleming, Sheila <[fleming.sheila@epa.gov](mailto:fleming.sheila@epa.gov)>

**Sent:** Tuesday, November 26, 2019 5:05 PM

**To:** McKenna, Elizabeth <[Mckenna.Elizabeth@epa.gov](mailto:Mckenna.Elizabeth@epa.gov)>; Cerise, Kathy <[Cerise.Kathryn@epa.gov](mailto:Cerise.Kathryn@epa.gov)>

**Subject:** Fwd: Stibnite Gold Project, Idaho

FYI.

Sheila  
206-553-1417

Begin forwarded message:

**From:** "Allnutt, David" <[Allnutt.David@epa.gov](mailto:Allnutt.David@epa.gov)>

**Date:** November 26, 2019 at 7:59:10 PM EST

**To:** "Philip, Jeffrey" <[Philip.Jeff@epa.gov](mailto:Philip.Jeff@epa.gov)>, "Terada, Calvin" <[Terada.Calvin@epa.gov](mailto:Terada.Calvin@epa.gov)>, "Cerise, Kathy" <[Cerise.Kathryn@epa.gov](mailto:Cerise.Kathryn@epa.gov)>, "Bottcher, Helen" <[Bottcher.Helen@epa.gov](mailto:Bottcher.Helen@epa.gov)>, "Fleming, Sheila" <[fleming.sheila@epa.gov](mailto:fleming.sheila@epa.gov)>

**Cc:** "Gahner, Pamela" <[gahner.pamela@epa.gov](mailto:gahner.pamela@epa.gov)>

**Subject:** FW: Stibnite Gold Project, Idaho

FYI – I imagine that SEMD will be receiving this via CMS assignment as well.

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